

COPY

LOUISIANA WILD LIFE AND FISHERIES COMMISSION

P R O C E E D I N G S

BOARD MEETING

Friday, June 23, 1972

10:00 a.m.

J. G. JONES, Chairman

Ramada Inn, Azalea Room
Alexandria, Louisiana

Kathryn G. Chamberlin,
Reporter.



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P R O C E E D I N G S

. . . The Board Meeting of the Louisiana Wild Life and Fisheries Commission convened at 10:00 o'clock a.m. on Friday, June 23, 1972, at the Ramada Inn, Azalea Room, Alexandria, Louisiana, Jerry G. Jones, Chairman, presiding. . . .

PRESENT WERE:

J. G. JONES, Chairman

H. C. WRIGHT, Vice-Chairman,

C. M. HOFFPAUER, Director

L. J. AUTIN

J. W. THOMPSON

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A G E N D A

1. ✓ Approval of the minutes of the meetings of
March 28, April 25 and May 23, 1972. (4)

RICHARD K. YANCEY:

2. ✓ Request from Arkansas Game and Fish Commission
for alligators for restocking purposes. (5)

JOE HERRING:

3. ✓ Presentation of a plaque to Mr. Jay Pipes
for putting land in scenic river system. (11)

KENNETH SMITH:



4. ✓ Consideration of policy for introduction of grass carp in Louisiana. (16)

5. ✓ Consideration of request by the Concordia Parish Police Jury to prohibit seining in Old River Lake (just north and west of Vidalia) and Deer Park Lake. *

TED O'NEIL:

6. ✓ Ratify agreement between Louisiana Wild Life and Fisheries Commission and George H. Lowery, Jr., for manuscript purchase for The Mammals of Louisiana and Adjacent Waters. (26)

HARRY SCHAFER:

7. ✓ Ratify opening certain sections of Lake Pontchartrain to butterfly netting for shrimp. (31; 58)

OTHER BUSINESS:

✓ Road construction, Three Rivers Wildlife Management Area. (10)

✓ Lack of water, Saline-Larto area. (36)

✓ Catahoula Lake control structure. (52)

✓ Action re H. E. 1297, removal of Bayou Cocodrie from Scenic Rivers Act. (54)

✓ Water quality, Spring Bayou. (58)

* Note: Not considered at this meeting.



CHAIRMAN JONES: The meeting will come to order.

The first part of the meeting will be the regular agenda for our monthly meeting, and we will follow that agenda, and when we complete the agenda we will take up any other business that anyone else has to take up with us, and we will stay on that as long as you want to stay on it. Once we complete that, we will adjourn for a few minutes and we will then begin the hearings on seasons and bag limits, and that will continue until we have heard everyone today. Then again tomorrow we will assemble at ten o'clock tomorrow and we will continue that until we complete it.

I want to remind you that if any of you have any business other than seasons and bag limits, bring it up at the first part of our meeting, because once we complete that, we won't be going back to other business, in all fairness to the people that have come to talk about seasons and bag limits.

The first order of business is the approval of the minutes of the meetings of



March 28, April 25 and May 23, 1972. What is your pleasure?

MR. THOMPSON: I so move.

MR. WRIGHT: Second.

THE CHAIRMAN: It has been moved by Mr. Thompson, seconded by Mr. Wright. Is there any discussion? Any objection?

(No response)

Hearing none, so ordered. Mr. Yancey.

MR. RICHARD YANCEY: Mr. Chairman, Members of the Commission, we have a request from the Director of the Arkansas Game and Fish Commission. They are asking that we supply them with 48 alligators to stock in the southern part of Arkansas, some of that razorback country up there.

We can collect these alligators with very little trouble and at very little expense. We would recommend that you authorize us turning 48 of these Louisiana alligators over to the Arkansas Game and Fish Commission for restocking purposes. We might ask them, if they have any spare turkeys that they could supply us with this coming winter, that we would be glad to have them.



Possibly half a dozen or something along that line.

THE CHAIRMAN: We are limited to 48 alligators?

MR. YANCEY: That's what they asked for, 48. I understand that when they cross the line they are going to call them razor-gators or something like that.

THE CHAIRMAN: You have heard the recommendation. What is your pleasure?

MR. THOMPSON: Wouldn't now be a pretty good time for you to tell us about the supply of alligators in the marsh and what our position is on this. I would like for the people, the citizens, to know about it.

MR. YANCEY: Well, the estimated alligator population in Louisiana now is about a quarter of a million, and this is based on censuses that were made by helicopter in the coast marsh regions of the state. The populations have steadily increased since about 1960. This resulted from new legislation at the state and federal level and good law enforcement and trapping and transplanting of alligators by the Commission out of the refuges



into some of the private land areas there, and real good cooperation on the part of the courts, particularly down in southwest Louisiana.

The alligators have increased tremendously in number over the past twelve years. Of course, currently they are on the federal endangered species list and we feel that they should be removed from this list because, certainly, by any stretch of the imagination, the alligator is not in any way endangered in Louisiana any more. We have as many alligators in this state as we have deer, and we feel that they should be managed as a renewable resource and an annual harvest permitted in the areas where you have high populations of alligators. Then this would mean jobs and revenue to the trappers and marshland owners and money that they could plow back into the management of wet lands in the coastal areas. This is, hopefully, what we are heading into, is another open season on alligators in areas of Louisiana where high populations exist. This is the case now, particularly down in the marshes of southwest Louisiana.

MR. THOMPSON: Thank you, Dick. The



reason for my comment was that I wanted the people to understand why we could give away alligators since it was on the endangered species list, and I was afraid someone might misinterpret and take that to be that we were giving away something that was in really short, short supply.

As I understand it, we are really saturated, as far as the habitat is concerned.

MR. YANCEY: We are saturated in some areas of the state now with alligators, yes.

THE CHAIRMAN: You think it would be really good management practice to remove some of these?

MR. YANCEY: Well, positively. Then you would maintain a balanced wildlife situation in your marsh areas. When you develop an overpopulation of alligators in a marsh, then that is just as undesirable as having an overpopulation of deer. You begin to have problems with them. They feed heavily on each other and on bird life and animal life and furbearing animals in a marsh. They are a predacious animal and their population should be kept in check by means of a regulated harvest on



an annual basis.

MR. WRIGHT: I so move.

MR. THOMPSON: Second.

THE CHAIRMAN: It has been moved by Mr. Wright, seconded by Mr. Thompson. Is there any further discussion? Any objection?

(No response)

Hearing none, so ordered.

(Text of the resolution
is here made a part of
the record.)

WHEREAS, the director of the Arkansas Game and Fish Commission has requested 48 Louisiana alligators for restocking purposes in Arkansas, and

WHEREAS, a high population of these reptiles is on hand at the Marsh Island Wildlife Refuge,

NOW THEREFORE BE IT RESOLVED,
that the Louisiana Wild Life and Fisheries Commission does hereby authorize the trapping of 48 alligators from the Marsh Island Refuge in Iberia Parish for



purposes of granting these to the state of Arkansas for restocking purposes.

THE CHAIRMAN: Thank you, Dick. Joe.

MR. HERRING: Thank you, Mr. Chairman. Bids have been received for one and a half miles of road construction work on our Three Rivers Wildlife Management Area. This is the second segment, as you know, of the road that we are trying to put in to the river there, and the low bidder on this was Morrison Construction Company for \$47,614.25. I recommend that we accept this.

THE CHAIRMAN: You have heard the recommendation. What is your pleasure?

MR. AUTIN: I so move.

MR. WRIGHT: Second.

THE CHAIRMAN: It has been moved by Mr. Autin, seconded by Mr. Wright. Is there any discussion? Any objection?

(No response)

Hearing none, so ordered.

MR. THOMPSON: Joe, let me butt in again. I don't want to be obnoxious, but some people may not understand and, particularly, I see the press



sitting here. That is the road that we had so much trouble about last year, going in, that we really got into a jam, so what Dick and them have been trying to do is really get ahead of the gun. We may not make it, but it won't be our fault. It will be the contractor's fault.

MR. HERRING: Mr. Chairman, the next item we have is our scenic river system. As you know, 31 streams in our state were declared by the 1970 session of the legislature. A very unique thing today, the first stream that is being signed up belongs to the father-in-law of our Chairman, so I am going to ask him to present this plaque.

THE CHAIRMAN: You know the Scenic Rivers Act provides a means by which, well, the State doesn't obtain control, but it provides a means by which a landowner can cooperate with the State and, in this instance, the Louisiana Wild Life and Fisheries Commission, for him to agree with the State that he would place certain restrictions upon his property in order to preserve the integrity of streams. Of course, a number of things that are contained in the agreement that you sign



with the State say that you won't cut timber within 100 feet of it, that you won't build buildings, you won't obstruct the stream, you won't change its natural integrity. I think about the only thing they let you do is graze your cattle.

It is really a privilege for me to be able to present this plaque in the sense that my father-in-law, Mr. Jay Pipes, from Jena, owns some property which adjoins Trout Creek, and Trout Creek is one of the streams that is contained in the Act. He has signed an agreement and is well on his way to getting his neighbors to do the same thing, to put it in as a part of the scenic rivers system.

If he would come up, I would surely like to present this plaque to him.

(Presentation here made.)

MR. JAY PIPES: I want to thank you very much for this plaque. I feel very humble in receiving it, and I would like to kind of make a report on what I have done.

You see, I have been in the process of trying to get Trout Creek restored to its natural



state. I came into the parish in 1921 as a school-teacher. At that time we had quite a few Indians that lived in the community and they had never been paid much attention to and they hunted up and down Trout Creek and the other creeks there.

At that time, Trout Creek was a very pretty stream, and the water was clear. Some of you people in here might have been to Trout Creek back in the old days, because quite a few people from Alexandria would go out and fish. You could see trout, say, oh, this long (indicating) most any time you went down, floating in the creek there, four or five feet deep.

Of course, these Indians, getting back to that, fished this stream and they used their bow and arrow to get the fish, but they weren't enough to do any damage. Of course, they hunted twelve months in the year. There were quite a few squirrels in there at that time, and, of course, the Indians -- I taught the first Indian school one summer and got them on the way of education -- most of those Indians responded and they have moved, most of them, around Alexandria and



have good jobs. A lot of them are welders, and it all started back there in that area, so we have very few Indians in the territory at the present time.

The thing that has hurt us now is the oil pollution and also we have some creosote pollution, but it is a beautiful stream. All the land along Trout Creek either belongs to individuals or some outsiders that live at other places. Starting at the head of it, a lot of you people know Mr. J. F. Justice. He owns some land at the head and we are all working towards getting this stream restored back to its original state.

I have been trying to get fish in there and I have been trying to get turkeys in there, and I want to mention this. The Wild Life was kind enough, a few years back, to turn some turkeys loose, and I have been trying to keep up with those and I have gotten good cooperation from the people. I don't think we are getting any of those turkeys slaughtered like we used to.

I would like to tell you one other item, if I am not taking up too much of your time.



THE CHAIRMAN: One more. (Laughter)

MR. PIPES: I have one more item that I would like to tell you about. I have been fooling with Canadian geese for the last 25 years. At one time I had quite a few, and now I have 20. What I am trying to do is convince the people that the Canadian goose is, well, you see them no more in the South, and when these geese fly, I hate to pinion them. Boy, it just breaks my heart to have to pinion a Canadian goose, because they are one of the most beautiful birds flying that you have ever seen.

I am making this kind of proposition to the people: If you won't shoot my geese, if they light on their pond and they will keep them and feed them, I will give them to them. So, that way, I think eventually, if a fellow will work at it hard and long enough, he can have Canadian geese flying all over the country, and people will get to the place where they will enjoy them instead of trying to kill them. This is another one of my projects that I am working on, besides the Trout Creek project.



Again, I want to thank you very much for this. I appreciate it very much.

(Applause)

MR. HERRING: Mr. Chairman, with a history like that on Trout Creek, I think we have picked a good creek for the legislature, on that. I just hope that this first landowner here, Mr. Jay Pipes, will kind of set a precedent now that we can get all of the easements on the other streams in our state. Thank you.

THE CHAIRMAN: Ken.

MR. KENNETH SMITH: Mr. Chairman, Members of the Commission, ladies and gentlemen, the item I would like to bring up for consideration by the Commission today is a recommendation for a policy regarding the entry of the grass carp or the white amur into Louisiana. I would like to give you just a little background on the fish and then go into the few points we have pertaining to the recommended statement.

There has been a lot of interest recently in this fish as a potential control of submergent aquatics in the state. No one will deny we have



a lot of aquatic problems in our many reservoirs and oxbows and what-have-you around Louisiana. This fish comes from Asia, primarily from Siberia, Manchuria and China, in the river systems in these countries. It is highly adaptable to different ranges of temperature, salinity and what-have-you. It can live in temperatures from 32 degrees Fahrenheit to over 90 degrees. It can live in water with a dissolved oxygen content of about a half part per million. Normally, bass, crappie and so forth need at least two full parts per million.

Its salinity tolerance is as high as ten parts per thousand. This is pretty salty when you consider that pure sea water is about 35 or 36 parts per thousand.

Its feeding habits are primarily vegetative and it will eat up to three times its daily weight per day, so you can see it is a good potential for control on this vegetation, but it reaches extreme sizes up to 400 pounds, though 50 to 100 pounds is much closer to the average adult size.

Most of the rivers in Louisiana meet the



spawning requirements of this fish, and even though it has not been reported to spawn in Arkansas, which is the only state in the Union which has released these fish in wild waters, we think that Louisiana waters, particularly the Mississippi River system, have the requirements for this fish to reproduce.

The American Fisheries Society has strongly recommended that no wild releases be made until more research has been done and we find out more about the fish. There are some potential benefits to Louisiana, but there are some considerable potential hazards. One is to the vegetation in about four billion acres of Louisiana marsh, that we depend on for our waterfowl habitat to a great extent. This is also relative to furbearers. It could affect these animals. The fish could possibly get into the rice fields in south Louisiana and it could very definitely adversely affect the Atchafalaya Basin, the big backwater areas.

We know more research needs to be done on the fish, and we would not like to recommend any action that would cut this research off, but



what we would recommend to the Commission as a position on entry of this fish into the state is as follows:

One, we would like to recommend that the white amur not be released in Louisiana waters;

Two, its possession and introduction to Louisiana remain prohibited in accordance with Public Law Title 56, Part 1, Sec. 20.1, which simply says that any fish brought into the state must have the Commission's approval. They must have a permit from the Commission to bring them in.

Three, the first priority of research in Louisiana will be the development of sterile white amur. Any fish worked with by any university or any research outfit in Louisiana would be required to work with sterile fish, which would preclude the possibility of reproduction of the fish in the state. Any other research then would have to be done with sterile fish.

This is the recommendation that we would make.

THE CHAIRMAN: May I ask you something? Based on the knowledge that you have now, are



there any types of vegetation, water vegetation, that this fish will not eat?

MR. SMITH: He will eat practically anything, Jerry.

THE CHAIRMAN: Water hyacinths?

MR. SMITH: If that's the only thing left in the water, yes. After all the vegetation is gone, the big concern we have, too, is that there is a good possibility he will turn to other food sources besides vegetation and thereby have direct conflict with your existing fishes in the water, but he will eat just about any kind of vegetation.

THE CHAIRMAN: Secondly, you said Arkansas has released them in their streams?

MR. SMITH: Right.

THE CHAIRMAN: What effect is that going to have on us?

MR. SMITH: They have released them in their lakes and they have gotten over the dams and into the streams and we don't know yet what effect it is going to have. We may get the fish down here. Missouri may get it up there. They are really concerned about it, too. They have



almost as stringent regulations about introduction or use of the fish as we do, but there is a possibility we may get it. We think that we should still remain cautious. If this thing does blow up, we would not like to be in line for any adverse criticism that may occur.

THE CHAIRMAN: Let me ask you something else now. How extensive is our research now?

MR. SMITH: There is none being conducted in Louisiana now.

THE CHAIRMAN: In other words, if we had that four million dollars that was taken from the conservation fund this year, we could probably do some research --

MR. SMITH: Yes, sir. We sure could.

THE CHAIRMAN: -- with the possibility of getting a lot of this vegetation out of these streams where people can't fish now.

MR. SMITH: Well, this has a potential, like we say, but we would like to at least look at the other side of it before we say, "Let's go with it," you see.

THE CHAIRMAN: But if we had that money,



we could find out and give the sportsmen that answer.

MR. SMITH: Yes, sir. Very definitely.

MR. THOMPSON: I would just like to make a statement that there is some research going on, on the fish. As much as eight years ago, when we first initiated the catfish program, I know we went to Arkansas to the U. S. -- what do they call it, Experiment Station? At Stuttgart? What do they call it? The big fish experiment station there. At that time we saw the fish and they were experimenting with them at this time, so there is experimentation going on with the fish. It is not a dormant issue, even though we don't have the four million dollars, and I think also there are several other states that are experimenting with it.

What I am saying is that we are kind of riding on the coattails of some other people. We are reading all their brochures. Kenny told us yesterday that all of their findings and all are being sent to him, as I understand it, and you are all reading and keeping up with it.

MR. SMITH: Yes, and I will give the



rest of the Commission members copies of the abstract and the literature search that we have done on the subject here.

THE CHAIRMAN: Didn't we, about four months ago, approve a project to be done by Northwestern or Northeastern or Nicholls or one of the colleges?

MR. SMITH: They had wanted to do some research on it, Jerry, and as far as I know, they were given the okay.

THE CHAIRMAN: We gave them the okay, but when the budget was cut, we had to do away with it.

MR. SMITH: Right.

MR. AUTIN: Nicholls State wanted some money, too.

MR. SMITH: That's what he is talking about.

THE CHAIRMAN: But when they cut the money out, they cut all that research out. O.K. Any other questions? What is your pleasure?

MR. THOMPSON: So move.

MR. WRIGHT: Second.

THE CHAIRMAN: It has been moved by Mr.



Thompson, seconded by Mr. Wright. Is there any further discussion? Any objection?

(No response)

Hearing none, so ordered.

(Text of the resolution
is here made a part of
the record.)

WHEREAS, considerable interest has been expressed by sportsmen's groups over the state concerning the use of grass carp (white amur) to control submergent vegetation in lakes in Louisiana, and

WHEREAS, this fish is adaptable to temperature, salinity and dissolved oxygen ranges that occur in waters over the state of Louisiana; and

WHEREAS, in the opinion of the fisheries biologists of the Louisiana Wild Life and Fisheries Commission the potential hazards are very great if the uncontrolled releases of this fish take place in Louisiana, particularly in the



marshes, overflow areas such as the Atchafalaya Basin and possibly rice fields,

THEREFORE BE IT RESOLVED,
in view of the above, the Louisiana Wild Life and Fisheries Commission adopts the following position regarding the white amur:

1. The white amur not be released in Louisiana waters.
2. The possession of this fish and introduction in Louisiana remain prohibited in accordance with PL Title 56, Part I, Section 20.1.
3. The first priority of research in Louisiana will be the development of sterile white amur. Any other research will have to be conducted with sterile fish.



MR. THOMPSON: Jerry, I can't help it but I want to explain again. By way of explanation, I think what Kenneth is trying to tell all of us here is that we are probably going to get some pressure from fishermen who may be in this audience at this time, wanting to jump the gun. I think that is what we are really saying, and we want to be a little cautious. If the fish is valuable, we want the fish, but if he's not, we don't want any walking catfish, so to speak, in this state. I wholeheartedly agree. I don't mind the pressure at all if we can go ahead and be conclusive whenever we do decide to put it in.

MR. SMITH: We think this is the safe approach at this time.

THE CHAIRMAN: Thank you. That's all you have at this time?

MR. SMITH: Yes, sir.

THE CHAIRMAN: Ted O'Neil. You have an item, don't you? To ratify an agreement about Dr. Lowery?

MR. TED O'NEIL: Mr. Chairman and Gentlemen of the Commission, we have about completed



a mammal book, a book of all the aquatic mammals and the furred mammals of Louisiana, and Dr. Lowery has the manuscript ready. We have given him \$4,000.00 for the photographs and the artist. The artist required \$4,000.00 for the art work, and we are well pleased with the art. Dr. Lowery has the manuscript ready now and we would like to purchase the manuscript for \$2,700.00 for his work in it and his aid.

At this time I would like to have it approved that we pay him and purchase the manuscript.

THE CHAIRMAN: Now when we do that, do we have the money to go ahead and put the book out now?

MR. O'NEIL: We do not. It is not in my budget at this time, but it is well set with the Division of Administration. They know all about it. They have done all the research. I have had the money at one time. I had enough money to start. I had \$11,000.00 in last year's budget on it, but they took it out of my budget, but the Division of Administration has researched the



publication of this book pretty thoroughly and they are ready to go when we are ready.

THE CHAIRMAN: In other words, we have the money for it, is that what you are saying?

MR. O'NEIL: I feel that we can get it.

THE CHAIRMAN: Where from?

MR. O'NEIL: From the Division of Administration.

THE CHAIRMAN: Well, is it coming out of the Wild Life budget is what I am getting at, or is it part of that four million dollars that we don't have?

MR. O'NEIL: No, no, it is part of the four million dollars. I would think that it will be part of the four million dollars that we don't have.

MR. THOMPSON: In other words, it would be over and above our present anticipated budget?

MR. O'NEIL: That is correct.

THE CHAIRMAN: What you are telling me, to put it right down in plain language, Ted, is that we are ready to go and we have the money to put the book out.



MR. O'NEIL: No, I am not telling you that. I am telling you that the Division of Administration has researched it; we have worked on it; they know that the book has to be published; and they are going to come up with the money, because it is not money that is spent that we don't get back. It is set up in a way that the money will come back to the government, back to the state.

MR. WRIGHT: Ted, didn't we have an agreement with Dr. Lowery? We owe him \$2,700.00.

MR. O'NEIL: That's correct.

THE CHAIRMAN: We don't have any choice then. We have to honor our obligation.

MR. HOFFPAUER: I want to know why it wasn't put in the budget. That's what I don't understand.

THE CHAIRMAN: It was in there but all of that was cut out, though, Clark. That is part of that four million dollars.

MR. HOFFPAUER: That was a line item?

MR. O'NEIL: Line item, yes.

THE CHAIRMAN: In his budget. So if



we don't get it, that means part of that four million dollars they took.

MR. O'NEIL: They are well aware and I am sure that they are figuring on going along with it.

MR. THOMPSON: Regardless, we owe it and I move we pay him.

MR. WRIGHT: Second.

THE CHAIRMAN: Moved by Mr. Thompson, seconded by Mr. Wright. Is there any further discussion? Any objection?

(No response)

Hearing none, so ordered.

(Text of the resolution
is here made a part of
the record.)

BE IT RESOLVED that the
purchase agreement entered into
June 7, 1972, between this Commission
and George M. Lowery, Jr., for the
purchase of the manuscript for the
book, The Mammals of Louisiana and
Adjacent Waters, is hereby ratified



and approved.

THE CHAIRMAN: Now, Ted, would you find out from the Division of Administration -- you are now ready to publish, aren't you?

MR. O'NEIL: We will be ready by -- we have got to do a few things this fall. I want to do a few things this fall and by Christmas we will have it ready for publication.

THE CHAIRMAN: Would you find out, though, before the next meeting, whether the money is going to be in the 1972 budget?

MR. O'NEIL: I sure will.

THE CHAIRMAN: That they will approve spending it during 1972.

MR. O'NEIL: Sure.

THE CHAIRMAN: Thank you. Harry.

MR. SCHAFER: Mr. Chairman and Members of the Commission, the item on the agenda is to ratify the Commission's action that was conducted by a phone survey, and that was the action on Senator Nunez' concurrent resolution which requested us to do a study and, if it proved feasible, to open the shrimp season in the area



near the Chef and Rigolets.

We conducted the study and found that there was a sufficient amount of shrimp to open the season and I polled the four members at the table now and got "yes" votes to open the season. A news release was released and the season was opened on the 15th, the night of the 15th. We have checked the catch, night before last, and have been checking regularly, and there are about 40 to 50 boats out there every night. They are catching somewhere between 800 and 1,200 pounds of brown shrimp, running about 50 to 60 count. There are very few white shrimp being caught. They are only catching about five or six pounds per boat, but they are running about 10 to 12 per count.

THE CHAIRMAN: Averaging that out on a dollar basis, about how much are these boats making? Roughly.

MR. SCHAFER: They would be making roughly probably about \$50.00 a boat.

MR. THOMPSON: That's all? In Calcasieu Lake they are making \$1,000.00 a night.

THE CHAIRMAN: \$1,000.00 a night, with



butterfly nets.

MR. THOMPSON: Per boat. In fact, I have been thinking about going into the shrimp business.

MR. SCHAFER: Of course, the shrimp haven't been running too well there. We expect about the 27th, when the tide really starts to moving, the catch should be improved.

THE CHAIRMAN: O.K. You have heard the recommendation. What is your pleasure?

MR. WRIGHT: We have already done it so I move to ratify the action.

MR. THOMPSON: Second.

THE CHAIRMAN: Moved by Mr. Wright, seconded by Mr. Thompson. Is there any discussion? Any objection?

(No response)

Hearing none, so ordered.

(Text of the resolution
is here made a part of
the record.)

WHEREAS, the Louisiana
Legislature, during the Regular



Session of 1972, adopted Senate Concurrent Resolution No. 40, sponsored by Senators Kiefer, Hickey and Representative Barrello, authorizing the Louisiana Wild Life and Fisheries Commission to allow the temporary use of butterfly nets to harvest the shrimp crop in lower Lake Pontchartrain in the vicinity of the Rigolets and the Chef Menteur Pass areas, and

WHEREAS, the fishermen of the respective area have requested the Louisiana Wild Life and Fisheries Commission to open the specific area to the use of butterfly nets only, and

WHEREAS, biologists of the Commission have examined and studied the feasibility of this request, and have found there is a harvestable shrimp crop in the passes of Lake Pontchartrain in the vicinity of the Rigolets and Chef Menteur,



THEREFORE, BE IT RESOLVED
that the Louisiana Wild Life and
Fisheries Commission does hereby
ratify the action of the telephone
poll of June 13, 1972, whereby the
Commission unanimously agreed to open
the passes of Lake Pontchartrain in the
vicinity of the Rigolets and Chef
Menteur on Thursday, June 15, 1972,
at 12:01 a.m. for the use of butterfly
nets only. The special season will
remain open until further notice.

BE IT FURTHER RESOLVED that
the Director and the Assistant Director
are hereby authorized and empowered to
close said season within a 24-hour
notice.

THE CHAIRMAN: Thank you. Is there
any other business to come before the Commission
other than the seasons and bag limits?

We are going to adjourn for a few minutes
and we have a little form for you to fill out if
you want to talk. If you have some recommendations



about seasons and bag limits, if you would fill one out, because if you don't have one filled out, then you won't be recognized and be able to talk. Please be sure to do that.

We will start at 11:00 o'clock, in this room right here. We will adjourn until 11:00 o'clock.

(Thereupon, at 10:40 o'clock a.m., a short recess was taken.)

THE CHAIRMAN: We will get started now. We had two people that had some items of business for us other than seasons and bag limits so, unless I hear some objection, we will just continue with the other business portion of our agenda, and we will conclude those two and then we will proceed.

There was a gentleman that had something to say about Saline, I believe. Please come to the microphone and state your name, please, sir.

MR. RALPH BELGARD: My name is Ralph Belgard. I own Open Bayou Landing. I would like to say something about the Saline-Larto area, where we have gotten progressively worse for the



lack of water. We are not getting water. The big ditches cut the water off. They have flooded this area every year.

Also, from the other end, we are getting a very large amount of muddy water. I think the Commission has a different word for that muddy water, but any way you make it, it is either turbid or darned muddy, one of the two. We are getting to the point now where something has to be done, one way or the other. We have either got to abandon this altogether or else get our collective thinking together and see if we can't do something about helping it.

My idea is, being down there and I have operated nine years and I have seen, like I said, from the last four years it is getting progressively worse. It is for the lack of the water that comes through the big ditch or in that area before. It would either be give us an outlet in Cross Bayou, or Open Mouth Bayou, or Big Bayou; the Corps of Engineers put in a control unit there that would allow our area to fill with backwater every spring. This would be only during the



spring season, because the water doesn't overflow all the time. We have our floods in January, February and maybe to the middle of March.

That is what has brought good fishing there and we need to continue that. Even the Wild Life has a great holding in there. They have public landings that are not being used now because why do people want to go there because there is nothing they can catch. Like I say, it is getting worse and worse every week and every month.

The beanfields have done very badly about us and they have made no provision for keeping this mud out. They have pumped it in. It has run in and even from an aerial view, you can see the mud and see Saline Lake as it is.

I would like the Commissioners, being you are here, we would like for you to know that there is a serious situation just about 25 miles east of us, and it really needs to be looked at. If they can give us the water in there so it will overflow each spring, well, we will be very happy, and so would a lot of other people. Thank you very much.



THE CHAIRMAN: Are there some of our people that could comment on that?

MR. THOMPSON: I can comment on this situation. It may not be to the liking of everyone or to even your thinking, but I can tell you what my analysis of it is. To start off with, the water is going to be controlled by the U. S. Fish and Wildlife. Louisiana Wild Life and Fisheries won't have anything to do with the control structure, so we won't be in a position to put or take away, muddy, fresh, or any type water.

While we are on this same vein, I am still kicking and raising cain about when they dug that ditch and that canal, we were not promised, we made a trade that they would give us this Honey Break Swamp, 12,000 acres, roughly. We still don't have the 12,000 acres of land to replace the damages that were done. I have been writing letters just recently. We were in Washington, Mr. Jones, Mr. Autin and myself, last week. We called on Mr. Ellender's office, hoping that we could put some pressure on Mr. Ellender to get the Corps of Engineers to buy us this land. Mr. Yancey -- I



don't see him right now -- has been negotiating with the Corps of Engineers and Dick tells me that as far as he is concerned his analysis is that we are at an impasse and that we are not going to get the land unless it comes from a higher-up. We thought possibly now would be the time to talk to Senator Ellender, which we have. We talked to his office. Mr. Autin, did you talk with him this week?

MR. AUTIN: No.

MR. THOMPSON: He didn't call?

MR. AUTIN: He was supposed to call but he didn't call.

MR. THOMPSON: But we are working on replacing the land, but as far as the water situation, my analysis of it is you have got to go to the U. S. Fish and Wildlife. If you can't get anything done with them, then you have just had it.

THE CHAIRMAN: Incidentally, what Jimmy is saying that to you, he is not putting you off. He is saying we have been going to them ourselves and we will go with you. We are not just saying, "You go." We have been working on the problem and



in other words, we have gotten nowhere. Dick.

MR. BELGRAD: We might have to say something to the President, then. If we could see him, we would.

MR. YANCEY: We have forwarded a complete summary of this situation to Senator Ellender's office yesterday, to bring him completely up to date on what has transpired in the past and this latest information we have from the Corps, which indicates to us that if this 12,000 acres is ever going to be acquired, the push for it has got to come from the top, rather than from the bottom. We are asking that that push be made.

We are also asking that the authorization for that acquisition be expanded from just Catahoula Parish to the Red River backwater areas or the tributary streams that lead into the Red River backwater areas, because opportunities to acquire major tracts of bottom land hardwoods now have diminished rapidly over the past five or six years and they are continuing to diminish, so we feel that the Corps has got to have a wider latitude to operate in if they are, in fact, going to



go out and locate a 12,000-acre tract of land and buy it and then devote it for wildlife management purposes, which they originally said they were going to do back in the late Fifties, that that was going to be a mitigation measure that would be effective against the losses that would be incurred in connection with their flood control programs in the Red River backwater area.

A complete report was mailed out to Senator Ellender's office yesterday. Now they requested that we give them this report, so it was supplied to them yesterday, and we will see what they can do with it.

MR. THOMPSON: There are two reasons for asking for that act to be changed. First of all, the thing that was originally promised was Honey Island break.

MR. YANCEY: That's right.

MR. THOMPSON: That was originally promised, which is no longer. That now is a bean-field. The second reason was that Catahoula Parish does not want any more public ownership of land in that area, because they have their Lion's Club



and their Chamber of Commerce and so forth asking that no more land be taken off their tax rolls. I believe I am correct in saying this, and that was the reason, and that is the crowbar that the Corps of Engineers are using for not buying the land. It is that the people up there didn't want it.

MR. YANCEY: We feel that they could go up the Ouachita or up the Boeuf or up the Red River and there are opportunities up there that can be exercised if Congress can provide the authorization and appropriate the money for them to effect that purchase.

MR. JAMES BUTLER: My name is Jim Butler. I live here, too, and I am much concerned with Saline, just like some of the other people here. One facet of the problem that he mentioned, sure, we want to get backwater back into the Saline complex. We need it. I think everybody will agree that a backwater area, you can hardly beat it for fishing, Toledo Bend or anywhere else, but we can't seem to find any option open to us as far as stopping what is coming in from these agricultural



fields.

It is a three-pronged problem. It is not just the backwater. It is going to take us a while to get that, if they started building tomorrow on a control structure. We want to know what we can do, what can be done, if there is anything to be done, to keep these danged people from pumping this mud into Big Creek. It starts at the head of the lake and it goes right on down all the way past the Louisiana delta right to the Larto spillway.

There must be some option available to stop this, other than digging a channel to Red River. That's our problem. We are not getting any cooperation. We have sat down and talked with these dad-gummed farmers. They are entitled to make a living. They have a huge investment, but we are not getting any cooperation at all from them. They stopped our water from coming in on one end and on the other end they are just pumping this muddy water. It is a dead sea out there, is all it is. It is a big cavity, 23 miles of once the finest backwater fishing area in this danged state. It almost makes you sick when you get up here and



try to talk about it, because a few years ago you couldn't beat this place and this year I don't think it is going to clear at all. Last year, last summer, the creek itself cleared enough to fish in, and there was some pretty good fishing. This year we went for four weeks without a rain. Not one drop of rain fell out there, and you could not see a dime two inches below the surface of Big Creek. It is just not getting any better.

As far as this open mouth bayou structure, I don't see why the Corps of Engineers has to build it. An open mouth bayou isn't a navigable waterway, I don't believe. It would seem to me the Department of Public Works, if something could be worked out with them. A bill has gone through the legislature to create a Larto Lake fish preserve and commission, with three members from Catahoula Parish and two from Rapides. We were under the impression this was done to create a body that could work out a way to put this control structure in there, that we didn't have to go through the federal government. That is, if the parishes wanted to be convinced to authorize a tax on them-



or some kind of agreement that we could get this water from Black River without going to the federal government.

Are we to understand that we can't take this water? We can't put a structure in there? You can't operate it? Is it impossible?

MR. THOMPSON: That's the federal government's canal. You can put it on the other side, but you got to cut that whole end of the canal then. That's the problem. You are speaking of the canal into the open mouth?

MR. BUTLER: Yes, that open mouth bayou.

MR. THOMPSON: Well, you see, the problem is the canal is sitting up there, and you can put all the control structures you want, but until you can cut that plug in or out of that canal, you haven't done anything.

MR. BUTLER: Let me ask you something else. Old Saline -- I forget the name, but Mr. Thompson will know -- old Saline where that dead bayou, more or less, is now, on past the willows. You remember where the willows are down there, the Red River bluffs?



MR. THOMPSON: Yes.

MR. BUTLER: Well, if an agreement could be worked out where these bean people would drain their fields, rather than pumping into Big Creek, Saline Lake, and the Horse Island area, if they would pump their water into that canal, if we could find the money to cut that canal on into Red River, do we have to go through the federal government to do this?

MR. THOMPSON: No, I wouldn't think you would. I am very familiar and from the air you can look down and you can see where old Saline wound its way. You can see the evidence of where it used to be, which I am sure is a sump area, which might even require less digging if they followed that area. As I understand it -- I could stand to be corrected on any of these things; this is strictly my interpretation of these things -- the Wild Life and Fisheries has no jurisdiction whatsoever on this particular canal, that this would have to be a deal we would work out with the landowners, and then if the land could be given or bought or what, then possibly -- and I am saying



possibly -- then possibly through the Department of Public Works engineers maybe we could get a bill to pass and get some of that four million dollars back, Mr. Jones, and dig that canal.

What you would do, you would go back into Old River at Vick. Now that is exactly what you are doing, and jump right out into the Red River which, in my estimation, would eliminate your muddy siltation problem but it would not eliminate the control of the water supply.

MR. BUTLER: Then we would get our backwater, and if we could get that much money, we would push for some more money to put it on Saline Bayou and into Catahoula Lake, and when they have got that control structure on the Big Ditch closed, we will take that backwater and run it through Saline Bayou and Saline Lake. It is going to take a lot of money but, dad-gum it, we are at the point where we have got to find the money, and we are going to get that four million dollars, I guarantee that. Sooner or later we are going to get it.

THE CHAIRMAN: Amen.

MR. THOMPSON: Amen. Let me say one



other thing. You know, the only recourse you have or we have as citizens --

MR. BUTLER: That's coming, too.

MR. THOMPSON -- the only recourse we have is a private citizen's suit. I am told by our department that we can't do one thing, because of the agriculture and because of the whole history of the whole thing, that Louisiana Wild Life and Fisheries can't go in and do anything, even though the Stream Control, you know, comes -- our Director is the chairman of that commission but we don't handle it as such.

THE CHAIRMAN: What jurisdiction does the Stream Control Commission have?

MR. HOFFPAUER: The only thing is enforcing the EPA, new regulations regarding turbidity, possibly you have a case there, but even the Corps came to us with hat in hand because they said they have 34 million dollars worth of contracts out they can't dredge, the Bogue Falaya or Chefuncte mouth, because they are going to make the water turbid; but somehow or other they got it waived so the turbidity just didn't count any more, but that



is the only thing.

THE CHAIRMAN: You all have no authority to stop people from doing that?

MR. HOFFPAUER: Yes, we can, but we have no judicial power. We would have to file it and go into federal court, and that's what happened.

THE CHAIRMAN: You all haven't issued any orders for them to stop, have you?

MR. HOFFPAUER: No.

THE CHAIRMAN: Would that be possible?

MR. HOFFPAUER: Yes. Then they will take it into federal court.

THE CHAIRMAN: Well, we've been in the courthouse before.

MR. HOFFPAUER: Here's Bob.

THE CHAIRMAN: Yes, I was looking for Bob but I wasn't going to ask him. I will let you ask him.

MR. BUTLER: Are you talking about Bob Lafleur?

THE CHAIRMAN: Yes.

MR. BUTLER: I talked with him about it several months ago and at that time there was a



law -- the Louisiana law regarding stream pollution exempted agricultural discharge. That's the bind there. The way I understand it, as far as a legal suit, it would have to be a class action, not necessarily on the part of sportsmen. It is hard for sportsmen to prove that they have lost anything. It would have to be based on class action economic grounds, Mr. Belgard, people owning camps around there.

MR. THOMPSON: Not any more. We can prove it. We've got how much a fish is worth, how much a squirrel is worth, how much a turkey is worth.

MR. BUTLER: Economic grounds.

MR. THOMPSON: That's been about one month that we have had this, so you can now evaluate.

THE CHAIRMAN: We volunteer our experts to testify.

MR. BELGARD: But then you can't say how many you would have caught. There is the variable.

MR. BUTLER: The legislature has got a



bill before it, I think it has already cleared the House, that would put this agricultural discharge back into -- it would remove this exemption. Right now I don't think the Stream Control Commission can stop them.

MR. THOMPSON: I know it is a terrible situation and seemingly our hands are more or less tied. We fight this thing every day and if you would get the calls that we get, you would understand that we would love to get it -- even if we weren't interested, just as hunters and fishermen, we would want to get it over with, just to quit getting all those calls, but it is just tied up. That is all there is to it. We've got to keep plugging. Maybe someday we will find a loophole.

THE CHAIRMAN: Yes, sir. Come up to the microphone, please.

MR. EDWARDS: I am C. L. Edwards, 103 Olive Street, Pineville.

The question of opening and closing this control structure on Catahoula Lake, I would like to know when they are going to open it. It don't look like they are going to get nobody no water



out of there till they get that oil barge drug back across wherever they waht it whenever the oil company gets ready.

As far as that water coming down that canal and going into Saline, I think this newly created ecological department of the federal government ought to be able to do something about that.

THE CHAIRMAN: We are waiting for Bob Lafleur. When we get him, we will come back to that.

MR. EDWARDS: I would like to know the date that that is supposed to open.

MR. THOMPSON: July 1. That is the information supplied us by the Corps -- not the Corps of Engineers, by the U. S. Fisheries and Wildlife.

MR. EDWARDS: And you are not going to get anywhere dealing with them bean people and oil people, because that was the purpose of that canal to start with, to get the water off where they can plant them bean fields, and I say if you made a trade for Honey break, and Honey break is a bean field, take the bean field. We can shoot ducks in it.



THE CHAIRMAN: The other person that had some business was Charlie Bosch. Charlie.

MR. BOSCH: Mr. Chairman and Members of the Commission, I would just like to call the attention of the people here in the press of one important bill before the Louisiana legislature. This is House Bill 1297. Several years ago the legislature in its wisdom incorporated a great number of streams and parts of streams in the natural and scenic streams system to preserve them for posterity.

Now we have this atrocious bill, H. B. 1297, by Representative Sonny Gilbert that would make it a local option and have a referendum only by the voters of Concordia Parish to decide whether or not they want to remove Bayou Cocodrie from the protection of the Natural and Scenic Streams System.

I think what we are concerned with here, and I am convinced that if this bill does pass the voters of Concordia Parish will soundly defeat this measure, but what we are concerned with here is the integrity of the whole act that was passed two years ago. The whole idea behind identifying a



portion of the few remaining streams we have left and preserving them for the use and enjoyment of all the people for all time was to pass this bill two years ago. House Bill 1297 and the precedent it sets would in effect eliminate all the people from all over the state who have an interest in this stream from the decision-making process and only allow a handful of people in Concordia Parish to determine this. We think this would be a great step backwards.

If sufficient grounds exist to remove this stream or any other stream from the protection of the Scenic Rivers System, then we think each and every member of the Louisiana House of Representatives, some 105 people, and each member of the Senate, some 40 people, should vote on it. We don't think we should take the important piece of legislation that was passed two years ago and destroy it by having a local option vote. In our opinion, 1297 should be defeated, and I hope some people in this audience will contact their representative and urge him to vote against that proposal, because it did pass the committee last week.



Thank you.

THE CHAIRMAN: This is a matter which really is of concern to us. The Commission has really pushed the scenic rivers matter. Does the Commission want to take any action on this particular bill, the recommendation of the legislature?

MR. WRIGHT: I think the Commission ought to send a resolution, urging all the Senators and Representatives to vote against this.

THE CHAIRMAN: It has been moved by Mr. Clay Wright that we oppose the passage of that bill. Is there a second?

MR. AUTIN: I second.

THE CHAIRMAN: Seconded by Mr. Autin. Is there any further discussion? Any objection?

(No response)

Hearing none, so ordered. Would Joe or one of you get it to them soon? O.K.

(Text of the resolution
is here made a part of
the record.)

WHEREAS, the 1970 Legislature
established Act 398, better known as the



Scenic Rivers Act, and

WHEREAS, this act listed 31 rivers for the purpose of preserving aesthetic, scenic, recreational, fish, wildlife, ecological, geological, botanical and other natural and physical features for the enjoyment of all people in the State, and

WHEREAS, the passage of H. B. 1297, which would remove that portion of Bayou Cocodrie now included in the Scenic Rivers Act and establish a precedent by eliminating all urban area votes from the decision making process,

THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission go on record as opposing the passage of H. B. 1297.

THE CHAIRMAN: That concludes the business we have on the agenda, and the other business. Oh, Harry, you have something?

MR. SCHAFFER: I just want to put one



decimal in.

THE CHAIRMAN: All right.

MR. SCHAFER: In answer to Mr. Thompson's question before -- he had asked me the amount of money that was taken each night -- I said \$50.00. I was trying to figure. It should have been \$500.00 instead.

THE CHAIRMAN: Thank you. I figured those shrimp weren't selling for much over there in the eastern part like they are in the western part. (Laughter)

MR. TURK: I am Mr. Turk, by the way, and I did come in late and I would like to be recognized, if at all possible.

THE CHAIRMAN: You want to talk something about water quality at Spring Bayou? Come on in. We will do that and then we will conclude.

MR. TURK: It won't take long. Thank you. Gentlemen, my name is Pat Turk and I am representing the Spring Bayou Bass Club of Avoyelles Parish.

As our club name implies, we spend a lot of time fishing and hunting on Spring Bayou Wildlife Management Area and we feel that there is



a great need to improve the water circulation throughout the area and would urge you to help us implement some sort of plan to accomplish this.

There is also a great need to control both submerged and floating aquatics in the area and hope that you will take some steps to control this unwanted vegetation. We realize that you have the hyacinth control crews working in there and, by the way, I might mention that they are doing a tremendous job with the areas that they can get to, but in time there are some large blocks of this vegetation in the area that can only be reached by aerial application, either by helicopter or airplane, whichever.

At this time I would like to thank you for allowing us to appear before you here and I hope that you will consider our request.

THE CHAIRMAN: Thank you, Pat. I don't want to sound like a broken record, but, of course I remind you, if we had that four million dollars in the conservation fund, we could sure spend some of it over on Spring Bayou. Your people, I am sure, realize that, and that is the reason we are



raising so much hell about it, so to speak, just to be honest about it, but we can't manage fish and wildlife resources without those dollars.

MR. TURK: I would like to say this. I am here for a twofold purpose really, to let you know that we are concerned plus I think that in the coming days I am going to have the support locally, the community backing, in other words, that is going to help me. In other words, you won't be at such a loss. In other words, we are going to try to help you as much as you are going to help us.

THE CHAIRMAN: What I am telling you is, you help us get that money that you put up, and that is what we want to spend it on, on things like that. We just don't have the dollars without it.

MR. TURK: I realize what the situation is as far as money goes, and that's why we are trying to get this community backing and get some funds appropriated and maybe you can meet us half-way.

THE CHAIRMAN: Thank you. We appreciate it. O.K., now we will go into seasons and bag



limits. We will ask you to come to the microphone and state your name and we will listen to you as long as you want to talk about seasons and bag limits. We ask you not to be repetitious, if you can, and make it as short as possible, which will convenience everyone here, but we will stay as long as you want to come.

. . . Thereupon, the Board concluded its regular business meeting and proceeded to conduct a public hearing re seasons and bag limits. . . .

Kathryn G. Chamberlin,
Reporter.

